



B I L L

TO

Amend the Judicature (Ireland) Acts, 1877 to 1897, and section six of the Local Registration of Title (Ireland) Act, 1891, and the Law relating to Bankrupts and to the constitution of certain Election Courts in Ireland. A.D. 1906.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 1. The appellate jurisdiction of the House of Lords conferred by section eighty-six of the Supreme Court of Judicature Act (Ireland), 1877, is hereby extended, and may be exercised in the case of any decision, judgment, decree, or order of the Court of Appeal in any proceedings taken by way of certiorari, mandamus,
10 quo warranto, or prohibition, or under any Act relating to the valuation of rateable property or authorising the making of any rate.
2. Notwithstanding anything in any Act an Order of the Lord Lieutenant in Council made by virtue of section sixty-three
15 of the Supreme Court of Judicature Act (Ireland), 1877, may make provision for the hearing and despatch at any winter assizes of any civil business other than traverses.
3. Subject to the rights of patronage vested in the judge to whom probate business was first assigned under section five of
20 the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, all junior clerkships in the Principal Registry of the Probate and Matrimonial Branch of the King's Bench Division shall when vacant, notwithstanding anything in the said section five, be filled by open competition in accordance with section seventy-three of
25 the Supreme Court of Judicature Act (Ireland), 1877, which relates to the appointment of future officers of the Supreme Court.

[Bill 263.]

Extension of
40 & 41 Viet.
c. 57, s. 86.

Transaction
of civil
business at
winter
assizes.
40 & 41 Viet.
c. 57.

As to clerk-
ships affected
by 60 & 61
Viet. c. 69,
s. 5.

40 & 41 Viet.
c. 57.

A.D. 1906.

Extension of powers to make rules of court.

4. The enactments relating to the making of rules of court contained in the Judicature (Ireland) Acts, 1877 to 1897, shall extend and apply, and shall be deemed to have always extended and applied, to all proceedings by or against the Crown.

As to clerks in central office under 54 & 55 Vict. c. 66.

5.—(1) Clerkships in the central office under the Local Registration of Title (Ireland) Act, 1891, shall not be deemed clerkships in the High Court.

(2) Subject to the provisions of this section, clerkships in the said office shall be filled by open competition, and the Lord Chancellor shall, with the concurrence of the Civil Service Commissioners, make regulations as to the qualifications of candidates and the subjects of examination.

(3) Provided that in cases of special merit the Lord Chancellor may, with the concurrence of the Treasury, appoint persons employed *at the passing of this Act* in the said office to clerkships therein.

Amendment of 60 & 61 Vict. c. 63. s. 12.

6. In section twelve of the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, the words "or such other member of the Council of the Society to be nominated for the purpose by the Council" shall be inserted after the word "Ireland."

Amendment of 55 Vict. c. 14, so far as it relates to 20 & 21 Vict. c. 60.

7. In the schedule to the Statute Law Revision Act, 1893, the words :

"In section seventy-two the words 'body or'" shall be substituted for the following words relating to the Irish Bankrupt and Insolvent Act, 1857, namely—

"In sections seventy-two to seventy-five the words 'body or'" and the said Act of 1893 shall be read and construed as if the words so substituted had originally been enacted therein.

Amendment of 45 & 46 Vict. c. 50, s. 92, as applied to Ireland.

8. Section ninety-two of the Municipal Corporations Act, 1882 (which relates to the constitution of election courts), in its application to Ireland by the Local Government (Application of Enactments) Order, 1898, shall have effect as if "ten" were substituted for "fifteen" in subsection two thereof, and as if the words "or in which he resides" were omitted from subsection three thereof.

Application, short title, and citation.

9. This Act shall apply to Ireland only, and may be cited as the Supreme Court of Judicature (Ireland) Act, 1906, and may be cited with the Judicature (Ireland) Acts, 1877 to 1897.